

Entered - 02/11/03 - sb
CL03L0098 - DIANNE C. MITCHELL

CLAIM OF: **ARLINE B. LUMPKIN**
2299 Montview Drive, NE
Atlanta, Georgia 30305

03-R-1036

ADOPTED BY
JUL 21 2003
COUNCIL

For damages alleged to have been sustained as a result of a series of sewer back ups on November 10 - 12, 2002 at 2299 Montview Drive, NE.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **ARLINE B. LUMPKIN** the sum of **\$1,350.60** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a series of sewer back ups on November 10 - 12, 2002 at 2299 Montview Drive, NE as is more particularly set forth in the within claim; said sum taken from and charged to account **2J01/529017/T31001**, Settlement of Suits and Claims, Department of Law.

APPROVED: **LINDA K. DISANTIS**
CITY ATTORNEY

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

APPROVED

JUL 30 2003

WITHOUT SIGNATURE
BY OPERATION OF LAW

FAVORABLE REPORT

COMM: Public Safety

DATE: 7/15/03

CHIEF: [Signature]

[Signature]

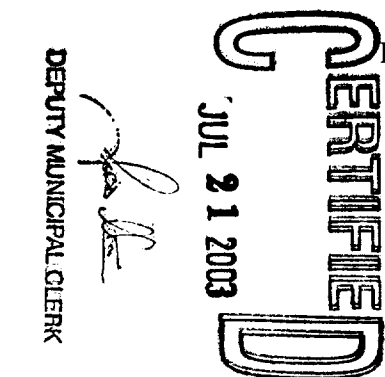
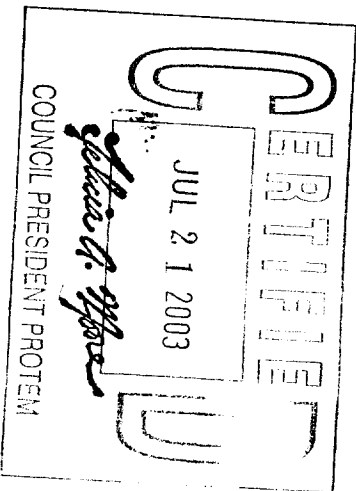
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**MUNICIPAL CLERK
ATLANTA, GEORGIA**

03-R--1036

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Arline B. Lumpkin** in the sum of **\$1,350.60** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of sewer back ups on November 10-12, 2002 at 2299 Montview Drive, NE as is more particularly set forth in the within claim; said sum taken from and charged to Account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,


Deputy Clerk

**ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403**

JULY 21, 2003

JULY 30, 2003

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0098

Date: July 2, 2003

Claimant /Victim ARLINE B. LUMPKIN

BY: (Atty)(Ins. Co.) _____

Address: 2299 Montview Drive, NE, Atlanta, Georgia 30305

Subrogation: _____ Claim for Property damage \$ 1,350.60 Bodily Injury \$ _____

Date of Notice: 01/30/03 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 11/10-12/02 Place: 2299 Montview Drive, NE

Department Watershed Management Bureau: Waste Water

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant's property was damaged due to a series of sanitary sewer back ups. The investigation determined that the cause of the damage was due to the City's failure to properly clear the blockage in the mainline at the time of the first occurrence.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,350.60 Adverse _____ Account charged: 1A01 _____ 2J01 X 2H01 _____ 2P01 _____

Claims Manager:  Concur/date 07/10/03

Committee Action: _____ Council Action _____

RCS# 4940
7/21/03
6:41 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS. 1-11, EXCEPT:03-O-1034
03-R-1110, 03-R-1137, 03-O-1116
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 1
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
E Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	B Woolard

CONSENT I

		7/21/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 02-O-1259 2. 03-O-0148 3. 03-O-0826 4. 03-O-1114 5. 03-O-1122 6. 03-O-0939 7. 03-O-0974 8. 03-O-1120 9. 03-O-0964 10. 03-O-1115 11. 03-O-1117 12. 03-R-0896 13. 03-R-1103 14. 03-R-1126 15. 03-R-1136 16. 03-R-1124 17. 03-R-1102 18. 03-R-1129 19. 03-R-1135 20. 03-R-1088 21. 03-R-1104 22. 03-R-1111 23. 03-R-1036 24. 03-R-1037 25. 03-R-1038	26. 03-R-1039 27. 03-R-1040 28. 03-R-1041 29. 03-R-1042 30. 03-R-1043 31. 03-R-1044 32. 03-R-1045 33. 03-R-1046 34. 03-R-1047 35. 03-R-1048 36. 03-R-1049 37. 03-R-1050 38. 03-R-1051 39. 03-R-1052 40. 03-R-1053 41. 03-R-1054 42. 03-R-1055 43. 03-R-1056 44. 03-R-1057 45. 03-R-1058 46. 03-R-1059 47. 03-R-1060 48. 03-R-1061 49. 03-R-1062 50. 03-R-1063	51. 03-R-1064 52. 03-R-1065 53. 03-R-1066 54. 03-R-1067 55. 03-R-1068 56. 03-R-1069 57. 03-R-1070 58. 03-R-1071 59. 03-R-1072 60. 03-R-1073 61. 03-R-1074

Consent I Vote: 13 Yeas; 0Nays: (See RCS #4940)

Items Removed from the Consent Agenda: 03-O-1034; 03-O-1116; 03-R-1110; 03-R-1137;